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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HAROLD E. MONTAGUE,

 Petitioner,

 v.

MS. BAKER, et al.,

 Respondents.

Case No. 3:17-cv-00648-RCJ-WGC

ORDER

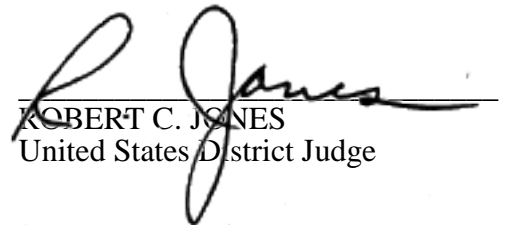
Petitioner has filed a second amended petition (ECF No. 26). The court has reviewed it pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The court will direct respondents to file a response.

IT THEREFORE IS ORDERED that respondents will have forty-five (45) days from the date of entry of this order to answer or otherwise respond to the second amended petition (ECF No. 26). Respondents must raise all potential affirmative defenses, including lack of exhaustion, untimeliness, and procedural default, in an initial motion to dismiss. The court will not entertain successive motions to dismiss.

IT FURTHER IS ORDERED that if respondents file and serve an answer, then they must comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts. Petitioner then will have forty-five (45) days from the date on which the answer is served to file a reply.

1 IT FURTHER IS ORDERED that if respondents file and serve a motion, then petitioner
2 will have forty-five (45) days from the date of service of the motion to file a response to the
3 motion. Respondents then will have twenty-one (21) days from the date of service of the
4 response to file a reply.

5 DATED: September 9, 2019.

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7 ROBERT C. JONES
8 United States District Judge
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